www.GOP.gov
LEGISLATIVE DIGEST
HOUSE REPUBLICAN CONFERENCE
CHAIRMAN ADAM PUTNAM WASHINGTON D.C. 226-2302

Floor Prep

H.R. 3 - Stem Cell Research Enhancement Act of 2007

Floor Situation:
With passage of the rules package for the 110th Congress (Title V of H.Res. 6), a closed rule for H.R. 3 was adopted, with three hours of debate to be divided equally and one motion to recommit.

After debate has concluded, the Republicans may offer their motion to recommit. A vote will occur on final passage after consideration of the motion to recommit.

H.R. 3 has not been considered by any committee in the 110th Congress.

Background:
Stem cells are cells with the unique ability to divide and grow colonies of the specialized cells that make up the tissues and organs of the body.

Adult stem cells: unspecialized cells that can reproduce and mature into the specialized cells of the surrounding tissue.

For example: Stem cells found in the heart can divide into more heart tissue cells.

Embryonic stem cells: unspecialized cells found in the early stages of an embryo that can reproduce and mature into the specialized cells of any organ or tissue in the body.

For example**:** Stem cells found in the early stages of an embryo can divide into and create more cells of heart tissue, liver tissue, or any other tissue in the body.

Stem cells have been found in many tissues in the developed human body (*adult stem cells*), and are found in the largest quantities in the early stages of embryonic development in: the umbilical cord (*cord cells*), embryos (*embryonic stem cells*), and just

this week, it was announced that stem cells have been discovered in the amniotic fluid (*amniotic stem cells*) that surrounds an unborn child in the womb.

> **In the news:** Reports Monday (1/9/2007) announced that researchers at Harvard University and Wake Forest University discovered stem cells in the amniotic fluid donated by pregnant women that appear to have the versatility previously thought to be singularly unique to embryonic stem cells. The amniotic stem cells proved able to reproduce and mature into every major cell type including liver, bone, muscle, and brain cells, and do not appear to have the same troubling propensity to grow into tumors that embryonic stem cells have. The cells were obtained without harm to the mother or the unborn child and without the destruction of an embryo as required to attain embryonic stem cells. (Rick Weiss, "Scientists See Potential In Amniotic Stem Cells," The *Washington Post*, 1/08/07)

Researchers speculate that stem cells may have the potential to be used for dramatic new developments in medical therapies including organ transplant and regeneration, drug discoveries, and treatments for diseases and conditions from Alzheimer's to cancer. Since human embryonic stem cells were first isolated in 1998, researchers around the globe have studied them in hopes of better understanding the unique ability of these cells to divide and reproduce into the full spectrum of specialized cells and tissues in the body. However, only adult stem cells have been used effectively in the medical treatment of human diseases and disorders to date.

A "stem cell line" is created by removing a cluster of cells from an embryo in its early stages of development. The embryo is destroyed and the cells are grown in a culture that under the right conditions will yield colonies of stem cells. Once the initial stem cells are isolated they can be manipulated to reproduce over and over again.

Legislative History:
On August 9, 2001, President Bush authorized the use of federal funds for stem cell research, but only on existing stem cell lines that had been created before the day of his announcement, "where the life and death decision has already been made."

President Bush's announcement prohibited the use of federal funds for any research where any additional human embryos would be destroyed and set guidelines for federally funded research on existing stem cell lines that were derived:

- with the informed consent of the donors
- from excess embryos created solely for reproductive purposes
- without any financial inducements to the donors

Under the President's guidelines, federal funds may NOT be used for:

- the use of stem cell lines derived from newly destroyed embryos
- the creation of any human embryos for research purposes

- the cloning of human embryos for any purpose.

**Note: The President's announcement did not constitute federal law but merely stated guidelines for how federal funds would be spent. Embryonic stem cell research beyond these guidelines is legal, but is not eligible for federal funding.*

At the time of the President's announcement, there were a total of 78 stem cell lines in existence, all of which were made eligible for use in federally funded research. Of the 78 eligible lines, only 22 stem cell lines were found to suitable and in available quantities for research purposes.

Federal funds through the National Institutes of Health (NIH) have been supporting human embryonic stem cell research since 2002. (See federal outlays for stem cell research in Fiscal Years 2003 - 2007 in Table 1.)

Table 1. National Institutes of Health Funding

($ in millions)

Stem Cell Research	FY03	FY04	FY05	FY06	FY07
Human Embryonic	20	24	40	38	39
Non-Human Embryonic	113	89	97	97	96
Human Non-Embryonic	191	203	199	200	200
Non-Human Non-Embryonic	192	236	273	274	273
Total, Stem Cell Research	**517**	**553**	**609**	**609**	**608**

NIH Budget Office, March 10, 2006.

(Source: Congressional Research Service, http://www.congress.gov/erp/rl/html/RL33540.html)

The Stem Cell Research Enhancement Act of 2005 (H.R. 810) was introduced by Representatives Castle and DeGette on February 15, 2005. This legislation sought to lift the President's ban limiting research to stem cell lines created before August 9, 2001. H.R. 810 was passed in the House on May 24, 2005, by a vote of 238 to 194, and passed in the Senate on July 18, 2006, by a vote of 63 to 37. H.R. 810 was vetoed by President Bush on July 19, 2006, in the President's first and only veto to date. The House vote to override the Presidential veto failed on July 19, 2006, by a vote of 235 to 193.

President Bush's veto stated: "H.R. 810 would overturn my Administration's balanced policy on embryonic stem cell research. If this bill were to become law, American taxpayers for the first time in our history would be compelled to fund the deliberate

destruction of human embryos. Crossing this line would be a grave mistake and would needlessly encourage a conflict between science and ethics that can only do damage to both and harm our Nation as a whole."

(Please see below for details on each vote on H.R. 810)

House vote on H.R. 810: 238 - 194 (Roll no. 204, May 24, 2005)

Republican:	Yeas:	50	Nays:	180
Democrat:	Yeas:	187	Nays:	14
Independent:	Yeas:	1	Nays:	

Senate vote on H.R. 810: 63 - 37 (Record Vote Number: 206, July 18, 2006)

Republican:	Yeas:	19	Nays:	36
Democrat:	Yeas:	43	Nays:	1
Independent:	Yeas:		Nays:	1

House vote on Presidential veto: 235 - 193 (2/3 required): (Roll no. 388, July 19, 2006)

Republican:	Yeas:	51	Nays:	179
Democrat:	Yeas:	183	Nays:	14
Independent:	Yeas:	1	Nays:	

Summary:

The text of the Stem Cell Research Enhancement Act of 2007 (H.R. 3) is identical to the text of the Stem Cell Research Enhancement Act of 2005 (H.R. 810).

The major provisions of this legislation expand the number of embryonic stem cell lines available for federally funded research. This bill would override the current restrictions on using federal funds for stem cell research that destroys human embryos, with the exception of a certified list of stem cell lines that were created from human embryos before August 9, 2001.

This legislation:

- Requires that the only human embryonic stem cells eligible for federally funded research:
  - are created by in vitro fertilization clinics solely for the purpose of fertility treatment
  - are in excess of the clinical need of individuals seeking fertility treatment and would expire or be otherwise discarded if not used for research
  - are donated by individuals seeking fertility treatment that are consulted with and provide written consent for their embryos to be used for research
  - are provided by donors that receive no financial compensation for the donation of their embryos

**Note: H.R. 3 embryonic stem cell research requirements for federal funding mirror the requirements set by President Bush in his 2001 announcement EXCEPT that H.R. 3 includes stem cell lines created after August 9, 2001.*

- Directs the Secretary of HHS and the Director of NIH to issue guidelines for how and under what conditions human embryonic stem cell research is to be conducted.

- Directs the Secretary of HHS to report annually to Congress on what research is being conducted on human embryonic stem cells and if that research is being done in accordance with the laws of the United States.

Views:
The Bush Administration has indicated that their position has not changed since the President vetoed H.R. 810 on July 19, 2006 and he is expected to veto H.R. 3.

Additional Information:

CRS Report: Stem Cell Research: Federal Research Funding and Oversight RL33540

CRS Report: Background and Legal Issues Related to Stem Cell Research RS21044

Staff Contact:
For questions or further information contact Matt Lakin at (202) 226-2302.